

STATE OF WEST VIRGINIA

COUNTY OF MARSHALL, to-wit:

I, Ted J. Yowonske, of 106 Wilkensaw St, Belle Vernon, PA, being of lawful age and being duly sworn, state that for the past 8 years I have been very familiar with the use and occupancy of that certain tract of land described as follows, to wit:

Legal Description: Subject lands situate in the Liberty District, Marshall County, West Virginia, being 117 acres, more or less, Tax Map 28, Parcel 8

The Lands were subject to the following Oil and Gas Leases (the "Leases"):

a. Oil and Gas Lease of 57 acres from D. J. Pyles to J. L. Newman, dated January 1, 1890, of record in the aforesaid Clerk's office in Deed Book No. 34, at page 310, for the term of five (5) years, and as much longer as oil, gas or other valuable substances are obtained in paying quantities, or the rental paid thereon.

b. Oil and Gas Lease of 87 acres from George Yoho to J. L. Newman, dated January 8, 1890, of record in the aforesaid Clerk's office in Deed Book No. 34, at page 312, for the term of five (5) years, and as much longer as oil, gas or other valuable substances are obtained in paying quantities, or the rental paid thereon.

c. Oil and Gas Lease of 57 acres from D. J. Pyles to S. H. Vandergrift, dated July 23, 1894, of record in the aforesaid Clerk's office in Deed Book No. 43, at page 520, for the term of five (5) years from the date hereof and as much longer as oil or gas is found in paying quantities thereon, not exceeding in the whole the term of twenty-five (25) years from the date hereof.

d. Oil and Gas Lease of 82 acres from H. N. Johnson to S. H. Vandergrift, dated July 23, 1894, of record in the aforesaid Clerk's office in Deed Book No. 43, at page 523, for the term of five (5) years from the date hereof and as much longer as oil or gas is found in paying quantities thereon, not exceeding in the whole the term of twenty-five (25) years from the date hereof.

e. Oil and Gas Lease of 82 acres from H. N. Johnson to C. J. Ford, dated May 9, 1895, of record in the aforesaid Clerk's office in Deed Book No. 49, at page 259, for the term of five (5) years from this date, and as much longer as the rent for failure to commence operations is paid, and as long after the commencement of operations as said premises are operated for the production of oil or gas.

f. Oil and Gas Lease of 57 acres from D. J. Pyles to C. J. Ford, dated May 9, 1895, of record in the aforesaid Clerk's office in Deed Book No. 49, at page 260, for the term of five (5) years from this date, and as much longer as the rent for failure to commence operations is paid, and as long after the commencement of operations as said premises are operated for the production of oil or gas.

g. Oil and Gas Lease of 82 acres from H. N. Johnson and Mrs. M. V. Johnson, his wife, to Geo. A. O'Hara, dated September 20, 1898, of record in the aforesaid Clerk's office in Deed Book No. 60, at page 250, for the term of five (5) years from the date hereof, and as much longer as oil or gas is found in paying quantities thereon, not exceeding in the whole the term of twenty (20) years from the date hereof.

h. Oil and Gas Lease of 57 acres from D. J. Pyles and V. J. Pyles to Geo. A. O'Hara, dated September 23, 1898, of record in the aforesaid Clerk's office in Deed Book No. 63, at page 358, for the term of five (5) years from the date hereof, and as much longer as oil or gas is found in paying quantities thereon, not exceeding in the whole the term of twenty (20) years from the date hereof.

i. Oil and Gas Lease of 117 acres from T. O. Johnson and Rusia Johnson, his wife, to Chas. McCamic, dated May 24, 1905, of record in the aforesaid Clerk's office in Deed Book No. 118, at page 42, for the term of ten (10) years from this date, and as long thereafter as oil or gas is produced therefrom by the party of the second part, their heirs, executors, administrators or assigns.

j. Oil and Gas Lease of 125 acres from T. O. Johnson and Rusha Johnson, his wife, to The Wheeling Natural Gas Company, dated May 5, 1915, of record in the aforesaid Clerk's office in Deed Book No. 144, at page 470, for the term of five (5) years from May 24, 1915, and as much longer as the rental for delay in operating is paid, or as long after commencement of operations as the said premises are being operated for the production of oil or gas, or as oil or gas is found in paying quantities thereon.

k. (1) Oil and Gas Lease of 120 acres from T. O. Johnson and R. O. Johnson, his wife, to Thos. D. Conaway, dated June 21, 1920, of record in the aforesaid Clerk's office in Deed Book No. 160, at page 581, for the term of two (2) years from the date hereof and as much longer as the said premises are being operated for the production of oil or gas, or oil or gas is found in paying quantities thereon.

(2) By Oil and Gas Lease Extension dated March 9, 1922, of record in the aforesaid Clerk's office in Deed Book No. 164, at page 505, T. O. Johnson and R. O. Johnson granted unto the Carnegie Natural Gas Company an extension of that certain Oil and Gas Lease of 120 acres made by T. O. Johnson and R. O. Johnson to Thos. D. Conaway, dated June 21, 1920, of record in the aforesaid Clerk's office in Deed Book No. 160, at page 581, for the further term of three (3) months.

(3) By instrument dated January 22, 1932, of record in the aforesaid Clerk's office in Deed Book No. 197, at page 559, T. O. Johnson and R. O. Johnson granted unto the Carnegie Natural Gas Company a modification of that certain Oil and Gas Lease of 120 acres made by T. O. Johnson and R. O. Johnson to Thos. D. Conaway, dated June 21, 1920, of record in the aforesaid Clerk's office in Deed Book No. 160, at page 581, regarding the rental for Gas Well No. 1476.

(4) By instrument dated July 19, 1935, of record in the aforesaid Clerk's office in Deed Book No. 203, at page 106, Morton B. Johnson, Mable A. Johnson, Rusha Johnson, Orpha Stern, Harry Stern, Herbert P. Johnson, Alice Johnson, Earnest Johnson, Inez Johnson, Lawrence Simmons, Beatrice McDowell, K. D. McDowell, Leo Johnson, Bessie Johnson, Albert Johnson, Oscar Johnson, Pearl Johnson, Metta Morris, David E. Morris, Jason Johnson and Ola M. Johnson granted unto the Carnegie Natural Gas Company a modification of that certain Oil and Gas Lease of 120 acres made by T. O. Johnson et al to Carnegie Natural Gas Company, (should be Thos. D. Conaway), dated June 21, 1920, of record in the aforesaid Clerk's office in Deed Book No. 160, at page 581, regarding the rental for Gas Well No. 1476.

(5) By instrument dated July 15, 1938, of record in the aforesaid Clerk's office in Deed Book No. 209, at page 225, Rusha Johnson, widow, Albert Johnson and Wilda Johnson, his wife, Lawrence W. Simmons, widower, H. P. Johnson and Alice Johnson, his wife, Beatrice McDowell and K. D. McDowell, her husband, Oscar Johnson and Pearl Johnson, his wife, Leo Johnson and Bessie Johnson, his wife, Earnest Johnson and Inez Johnson, his wife, Mort Johnson and Mabel Johnson, his wife, Orpha E. Stern and Harvy Stern, her husband, Jason Johnson and Ola M. Johnson, his wife, Metta J. Morris and David E. Morris, her husband, granted unto the Carnegie Natural Gas Company a modification of that certain Oil and Gas Lease of 120 acres made by T. O. Johnson to Thos. D. Conaway, dated June 21, 1920, of record in the aforesaid Clerk's office in Deed Book No. 160, at page 580, (should be 581), regarding the rental for Gas Well No. 1-1086.

(6) By instrument dated October 13, 1938, of record in the aforesaid Clerk's office in Deed Book No. 209, at page 303, Rusha Johnson, widow, Albert Johnson and Wilda Johnson, his wife, Beatrice McDowell and K. D. McDowell, her husband, Leo Johnson and Bessie Johnson, his wife, H. P. Johnson and Alice Johnson, his wife, Earnest J. Johnson and Inez Johnson, his wife, Morton Johnson and Mabel Johnson, his wife, Oscar Johnson and Pearl Johnson, his wife, Lawrence Simmons, widower, Metta J. Morris and David E. Morris, her husband, Orpha E. Stern and Harvy Stern, her husband, Ola Johnson and Jason Johnson, her husband, granted unto the Carnegie Natural Gas Company a modification of that certain Oil and Gas Lease of 120 acres made by T. O. Johnson et al to Carnegie Natural Gas Company, dated June 21, 1920, of record in the aforesaid Clerk's office in Deed Book No. 160, at page 581, regarding the rental for Gas Well No. E-1476.

That I know of my own knowledge that no oil and/or gas is currently being produced under the terms of the aforesaid Leases upon any of the above described property; that to my knowledge no royalties are currently being paid pursuant to the aforesaid Leases on the above described property; and that I know to the best of my own knowledge that the aforesaid Leases have heretofore been abandoned, surrendered and otherwise terminated.

I further state that I know to the best of my own knowledge that no production of oil and/or gas is currently being produced pursuant to the aforesaid Leases on other property covered by said Leases, if any, or other property pooled or unitized therewith, if any.

Further Affiant sayeth naught.

Executed this 23 day of July, 2009

ACKNOWLEDGEMENT

STATE OF Pennsylvania }
COUNTY OF Fayette } SS:

On the 23 day of July, 2009, before me personally came the above named: Ted J. Yovaniske, being person(s) known to me to be the same person(s) described herein and who acknowledge having executed the foregoing instrument.

My commission expires March 31, 2018

Signature / Notary Public

Name / Notary Public (print)

JAN PEST
MARSHALL County 01:16:11 PM
Instrument No 1275934
Date Recorded 10/14/2009
Document Type O&G
Book-Page 686-581
Recording Fee \$5.00
Additional \$6.00

County Recorder: Please return recorded document to Mason Dixon Energy, Inc., 101 Cambridge Place, Bridgeport, WV 26330



STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 23rd day of July, 2009, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 14th day of October, 2009 at 1:16 o'clock P.M.

TESTE:

Clerk.